

Application No.: 09/961,395
Attorney Docket No.: 021123-0265258

REMARKS

In response to the outstanding rejections set forth in Office Action dated July 20, 2004 and the examiner's comments submitted in the Advisory Action dated December 13, 2004, Applicants submit the following remarks:

- The examiner has alleged that the waterglass recited in claims 1 and 8 is present in a coating of the percarbonate. However, claim 1 discloses the addition of waterglass to a solution used in the process for making sodium percarbonate by fluid-bed spray granulation. The process of claim 1 will inevitably lead to uncoated sodium percarbonate particles having the waterglass evenly distributed throughout the sodium percarbonate particles. Claim 8 also explicitly states that the waterglass is evenly distributed in the grain. Therefore, the examiner's allegation that the waterglass component recited in claims 1 and 8 is present in a coating of the percarbonate is unfounded.
- The examiner has argued, based on the disclosure of U.S. Patent No. 5,714,201 ("Bewersdorf '201"), that it is expected that the waterglass in the coating and the waterglass incorporated into the body of the percarbonate provide the same effect. However, this is in clear contradiction to the teachings of Bewersdorf '201. Bewersdorf '201 discloses the effect of the modulus of waterglass for waterglass in the coating in table 1 with example 2 and comparative example 2: lowering the modulus of waterglass decreases dissolution time, but leaves the O₂ retention essentially unaffected. The effect of the modulus of waterglass in the body of percarbonate particles is disclosed in table with the columns labeled "uncoated" for example 3 and comparative example 3: lowering the modulus of waterglass has no influence on dissolution time, but results in reduced O₂ retention. Therefore, Bewersdorf '201 clearly teaches that the variation of waterglass modulus has substantially different effects for waterglass in the coating than for waterglass incorporated into the body of percarbonate particles. Accordingly, the examiner's argument the waterglass in the coating and the waterglass incorporated into the body of the percarbonate is expected to provide the same effect is not supported by the teachings of Bewersdorf '201.
- Applicants' have demonstrated simultaneous reduction of dissolution time and improvement in product stability, which has been achieved by the combined presence

12-20-04

16:03 From-Pillsbury Winthrop LLP

8543775553

T-565 P.009/010 F-749

Application No.: 09/961,395
Attorney Docket No.: 021123-0265258

of a magnesium compound and a waterglass with a modulus of from 1 to 3 in the body of sodium percarbonate particles. This is a surprising and unexpected result and could not be predicted from the teachings of U.S. Patent No. 5,560,896 ("Bewersdorf '896") or Bewersdorf '201. Based upon the disclosure of Bewersdorf '201, a skilled artisan would expect neither a reduction of dissolution time nor an improvement in product stability by selecting a waterglass modulus of 1 to 3 for waterglass incorporated into the body of sodium percarbonate particles. There is nothing in disclosures of Bewersdorf '896 or Bewersdorf '201 to suggest the unexpected results shown and claimed by Applicants.

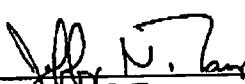
The amendments and remarks submitted by Applicants in the response filed on November 19, 2004 together with the remarks submitted in this response demonstrate that Applicants' claimed invention is patentably distinguishable from the references cited by the examiner. In view of these remarks, Applicants respectfully request that the examiner withdraw the outstanding rejections based upon 35 U.S.C. §§ 103 and 112.

Should any issues remain unresolved, the examiner is encouraged to contact the undersigned attorney for the applicants at the telephone number indicated below in order to expeditiously resolve any remaining issues.

Respectfully submitted,

PILLSBURY WINTHROP LLP

By:


Jeffrey N. Townes
Registration No. 47,142

December 20, 2004

Pillsbury Winthrop, LLP
1600 Tysons Boulevard
McLean, VA 22101
703.905.2000 Telephone
703.905.2500 Facsimile

30500319v1